



PUBLIC NOTICE

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ENFORCEMENT BUREAU FIELD OPERATIONS LIST OF NOTICES OF APPARENT LIABILITY ISSUED

The following is a list of Notices of Apparent Liability issued by the Enforcement Bureau's Field Offices during the period September 1, 2002 through September 30, 2002. During that period, the Field Offices issued 24 Notices of Apparent Liability ("NALs") in amounts totaling \$245,000 for violations of the Communications Act of 1934, as amended, 47 U.S.C. § 151, *et. seq.*, and/or the FCC's rules. As detailed below, of the 24 NALs issued, 22 involved violations of the Commission's safety-related rules (*e.g.*, antenna structure, AM station fencing requirements, cable signal leakage and Emergency Alert System). The Commission cautions licensees and antenna structure owners that the Commission takes compliance with these rules seriously. Failure to comply with these rules may result in significant enforcement action.

This list is provided for information purposes only and does not provide parties with additional rights. Parties wishing to make a payment or file a response to a NAL must do so in accordance with the instructions and by the deadline set forth in the NAL.

Communications Act

- **47 U.S.C. § 301 – Unauthorized Operation**
 - ***Nextel WIP License Corp., Eden Palehua Ridge, HI. \$10,000 NAL.*** Honolulu, HI Resident Agent Office (9/30/02).
- **47 U.S.C. § 303(q) – Antenna Structure Painting and Lighting**
 - ***Max Media of Montana, LLC, Great Falls, MT. \$13,000 NAL.*** Other violations: 47 C.F.R. §§ 17.21 (Painting and Lighting, When Required), 17.47 (Inspection of Antenna Structure Lights and Associated Control Equipment) 17.57 (Report of Radio Transmitting Antenna Construction, Alteration, and/or Removal). Seattle, WA District Office (9/27/02).

47 C.F.R. Part 11 – Emergency Alert System Rules

- **47 C.F.R. § 11.35 – Equipment Operational Readiness**

- ***American Family Association, KAUF, Tupelo, MS. \$9,000 NAL.*** Other violations: 47 C.F.R. §§ 73.3527 (Local Public Inspection File for Noncommercial Educational Stations). Kansas City, MO District Office (9/28/02).
- ***Southern Media Communications, Inc., Bay Minnette, AL. \$11,000 NAL.*** Other violation: 47 C.F.R. § 17.4(a) (Antenna Structure Registration). Atlanta, GA District Office (9/24/02).
- ***Aracelis Ortiz, Excatrix of the Estate of Carlos Ortiz, KCOS-LP, Phoenix, AZ. \$15,000 NAL.*** Other violation: 47 C.F.R. § 73.1125 (Station Main Studio Location). San Diego, CA District Office (9/30/02).
- ***Hunt Broadcasting Group, Inc., KPWB AM and FM, Piedmont, MO. \$19,000 NAL.*** Other violations: 47 C.F.R. §§ 73.49 (AM Transmission Fencing Requirements), 73.1350 (Transmission System Operation), and 73.3526 (Local Public Inspection File for Commercial Stations). Kansas City, MO District Office (9/30/02).
- 47 C.F.R. § 11.61 – Tests of EAS Procedures
 - ***Ho’ona’auao Community Television, Inc., KWBN-TV, Honolulu, HI. \$4,000 NAL.*** Honolulu, HI Resident Agent Office (9/27/02).

47 C.F.R. Part 17 – Construction, Marking and Lighting of Antenna Structures

- 47 C.F.R. § 17.4(a) – Antenna Structure Registration
 - ***J.L. Brewer Broadcasting of Cleveland, LLC, Dayton, TN. \$3,000 NAL.*** Atlanta, GA District Office (9/9/02).
 - ***P&G Properties, Inc., Rockwood, TN. \$3,000 NAL.*** Atlanta, GA District Office (9/9/02).
 - ***Dewey D. Lankford, Anniston, AL. \$3,000 NAL.*** Atlanta, GA District Office (9/24/02).
 - ***Qwest Corporation, Comstock, MN. \$13,000 NAL.*** Other violation: 47 C.F.R. § 17.50 (Cleaning and Repainting). St. Paul, MN Resident Agent Office (9/26/02).
- 47 C.F.R. § 17.21 – Painting and Lighting, When Required
 - ***Hoffman Communications, Incorporated, Alexandria, VA. \$21,000 NAL.*** Other violations: 47 C.F.R. §§ 73.49 (AM Transmission System Fencing Requirements) and 73.1745 (Unauthorized Operation). Norfolk, VA Resident Agent Office (9/30/02).
- 47 C.F.R. § 17.50 – Cleaning and Repainting
 - ***Radio X Broadcasting Corp., WXLX, et al., Bayamon, Puerto Rico. \$20,000 NAL.*** Other violation: 47 C.F.R. § 73.3526 (Local Public Inspection File for Commercial Stations). San Juan, PR Resident Agent Office (9/5/02).
 - ***Tower Properties of Florida, Inc., Gainesville, FL. \$10,000 NAL.*** Tampa, FL District Office (9/20/02).

- ***Access.I Communications Corp., New York, NY. \$10,000 NAL.*** Dallas, TX District Office (9/30/02).
- ***Barinowski Investment Company, LP, Augusta, GA. \$10,000 NAL.*** Atlanta, GA District Office (9/30/02).
- ***Hill Country Real Estate Development Corporation, Chevy Chase, MD. \$13,000 NAL.*** Other violations: 47 C.F.R. §§ 17.51 (Time When Lights Should Be Exhibited) and 17.57 (Report of Radio Transmitting Antenna Construction, Alteration and/or Removal). Dallas, TX District Office (9/30/02).
- 47 C.F.R. § 17.51 – Time When Lights Should Be Exhibited
 - ***Southwestern Bell Wireless, LLC, Dallas, TX. \$10,000 NAL.*** Kansas City, MO District Office (9/5/02).
 - ***Wichita SMSA Tower Holdings, LLC, Wichita, KS. \$10,000 NAL.*** Kansas City, MO District Office (9/25/02).
 - ***Gulf Stream Natural Gas System, Houston, TX. \$10,000 NAL.*** Tampa, FL District Office (9/30/02).
 - ***Signal One, LLC, Chattanooga, TN. \$10,000 NAL.*** Atlanta, GA District Office (9/30/02).
- 47 C.F.R. § 17.57 – Report of Radio Transmitting Antenna Construction, Alteration and/or Removal
 - ***Alliance Communications Partners, L.P., Denver, CO. \$3,000 NAL.*** New Orleans, LA District Office (9/27/02).

47 C.F.R. Part 73 – Radio Broadcast Services

- 47 C.F.R. § 73.1125 – Station Main Studio Location
 - ***Coffee County Broadcasting, Inc., McMinnville, TN. \$7,000 NAL.*** Atlanta, GA District Office (9/30/02).

47 C.F.R. Part 76 – Multichannel Video and Cable Television Service

- 47 C.F.R. § 76.605 – Technical Standards
 - ***Valley Cable TV, Inc., Fort Valley, GA. \$8,000 NAL.*** Atlanta, GA District Office (9/30/02).